



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 031599/297684		FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/US2005/002200		International filing date (day/month/year) 25.01.2005		Priority date (day/month/year) 26.01.2004
International Patent Classification (IPC) or national classification and IPC INV. B65D83/08 B65H35/00				
Applicant SONOCO DEVELOPMENT INC et al.				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau a total of 1 sheets, as follows:</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 23.11.2005		Date of completion of this report 02.05.2006		
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized officer Bevilacqua, V Telephone No. +49 89 2399-7983 		

Box No. I Basis of the report

1. With regard to the **language**, this report is based on
- ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3(a) and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4(a))
 - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

Description, Pages

1-14 as originally filed

Claims, Numbers

1-21 as originally filed
22-24 received on 23.11.2005 with letter of 21.11.2005

Drawings, Sheets

1/12-12/12 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US2005/002200

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-24
	No: Claims	
Inventive step (IS)	Yes: Claims	1-24
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-24
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V.

1 Reference is made to the following documents:

- D1 : PATENT ABSTRACTS OF JAPAN vol. 2000, no. 05, 14 September 2000 (2000-09-14) & JP 2000 033937 A (KAO CORP), 2 February 2000 (2000-02-02)
- D2 : PATENT ABSTRACTS OF JAPAN vol. 2000, no. 07, 29 September 2000 (2000-09-29) & JP 2000 109065 A (OSAWA HIROKATSU; SUZUKI KAZUO), 18 April 2000 (2000-04-18)
- D3 : WO 02/12104 A (THE PROCTER & GAMBLE COMPANY) 14 February 2002 (2002-02-14)
- D4: WO 03/106121 A (REYNOLDS METALS COMPANY) 24 December 2003 (2003-12-24)

2 INDEPENDENT CLAIMS 1,22 and 23

2.1

Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parentheses applying to this document) a container for cutting and dispensing select portions of a web material retained on a roll, from which the subject matter of claims 1,22 and 23 differs in that the container comprises

- at least one molded end cap comprising a molded material comprising a detent substantially corresponding to the profile shape of the cutter track, a groove substantially corresponding to the profile shape of the dispenser, and a protrusion for accepting a roll of material (claims 1 and 23);
- a pair of end caps comprising a cutter track holder engaging a respective end of the cutter track and a roll support(claim 22)

A typical disadvantage of known containers is the lack of a simple means to secure the mutual position of the roll of web material and the cutting assembly with respect to the dispensing container while still allowing the roll to easily rotate.

Without a means to fix the mutual positions of roll and cutting assembly it is possible to misalign them resulting in a poor cut, without fixing the roll and/or the cutting assembly in the dispensing container it is possible to inadvertently remove them from the container.

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/US2005/002200

None of the documents found in the search report would suggest to the skilled person such a simple and effective solution to use a cap according to claims 1,22 and 23 with positioning means for the external dispenser,the roll and the cutter assembly comprising a cutter track and a shearing device.

5.1.3

Claims 2-21 and 24 are dependent on claims 1 and 23 and as such also meet the requirements of the PCT with respect to novelty and inventive step.